

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY ATHENS PRIORITY

C O N F I D E N T I A L STATE 108263

E.O. 11652:GDS

TAGS: ELAB, GR

SUBJECT: PACIFIC ARCHITECTS AND ENGINEERS

REF: ATHENS 3140

FOLLOWING IS TEXT OF NOTE VERBALE FOR PRESENTATION TO MFA
RE PACIFIC ARCHITECTS AND ENGINEERS:

BEGIN QUOTE. I HAVE THE HONOR TO REFER TO RECENT CONVER-
SATIONS BETWEEN REPRESENTATIVES OF OUR GOVERNMENTS RE-
GARDING THE STATUS OF UNITED STATES AND THIRD COUNTRY NATO
NATIONALS EMPLOYED BY PACIFIC ARCHITECTS AND ENGINEERS
(HEREINAFTER REFERRED TO AS "PAE"), A UNITED STATES COR-
PORATION PERFORMING A CONTRACT WITH THE UNITED STATES AIR
FORCE FOR CRITICAL SERVICES AT VARIOUS MILITARY INSTALLA-
TIONS IN GREECE.

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PAE HAS OVER THE PAST YEAR OR SO ENCOUNTERED SEVERAL PROB-
LEMS WHICH HAVE SERIOUSLY IMPAIRED ITS ABILITY TO PERFORM
ITS CONTRACT OBLIGATIONS ADEQUATELY AND PROPERLY. PAE
EMPLOYEES HAVE ENCOUNTERED DIFFICULTY IN OBTAINING AND
RENEWING WORK PERMITS, WITH THE RESULT THAT WORK FORCES
HAVE NOT BEEN UP TO FULL PERSONNEL LEVELS. AT ONE POINT

LAST SUMMER, 11 PAE EMPLOYEES WERE SERVED WITH SUMMONSES

TO APPEAR IN COURT TO ANSWER CRIMINAL CHARGES THAT THEY WERE IN VIOLATION OF GREEK LAW FOR WORKING WITHOUT WORK PERMITS. THE INCIDENT CAUSED CONSIDERABLE DISTRESS AND UNCERTAINTY AMONG PAE EMPLOYEES AND MANAGEMENT.

AS PAE IS A CONTRACTOR WITH THE U.S. AIR FORCE, THE UNITED STATES HAS ATTEMPTED TO PROVIDE APPROPRIATE ASSISTANCE TO PAE AND ITS PERSONNEL IN RESOLVING THESE MATTERS. THESE EFFORTS HAVE NOT PROVED FULLY SATISFACTORY TO PAE OR ITS PERSONNEL.

THE UNITED STATES, THEREFORE, REQUESTS ISSUANCE OF ALIEN REGISTRATION CARDS TO UNITED STATES AND THIRD COUNTRY NATO NATIONALS EMPLOYED BY PAE. THE UNITED STATES BELIEVES THAT THESE EMPLOYEES QUALIFY AS MEMBERS OF THE "CIVILIAN COMPONENT" AS THAT TERM IS DEFINED IN PARAGRAPH 3 OF ARTICLE X OF APPENDIX 1 OF THE 1953 MILITARY FACILITIES AGREEMENT.

PAE HAS HERETOFORE OBTAINED WORK PERMITS FOR ITS U.S. AND THIRD COUNTRY NATO NATIONAL EMPLOYEES. THE COMPANY HAS NOT PREVIOUSLY REQUESTED ISSUANCE OF ALIEN REGISTRATION CARDS, PERHAPS BECAUSE THE COMPANY UNTIL RECENTLY ENCOUNTERED NO DIFFICULTIES IN OBTAINING WORK PERMITS. IT IS THE UNITED STATES' POSITION, HOWEVER, THAT PAE'S U.S. AND THIRD COUNTRY NATO NATIONAL EMPLOYEES HAVE AT ALL TIMES RELEVANT HERETO BEEN QUALIFIED AS MEMBERS OF THE CONFIDENTIAL

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CIVILIAN COMPONENT FOR REASONS NOTED ABOVE AND HAVE THUS BEEN ENTITLED TO THE ISSUANCE OF ALIEN REGISTRATION CARDS.

THE UNITED STATES THEREFORE REQUESTS THE GOVERNMENT OF THE HELLENIC REPUBLIC ISSUE ALIEN REGISTRATION CARDS TO THOSE U.S. AND THIRD COUNTRY NATO NATIONALS EMPLOYED BY PAE.

BECAUSE THESE EMPLOYEES QUALIFY AS MEMBERS OF THE CIVILIAN COMPONENT, IT WILL ALSO BE NECESSARY TO REVIEW THEIR STATUS UNDER THE STATUS OF FORCES AGREEMENT CURRENTLY UNDER DISCUSSION BETWEEN OUR TWO GOVERNMENTS AS PART OF A DEFENSE COOPERATION AGREEMENT. ARTICLE I, PARAGRAPHS 4 AND 5 OF THE STATUS OF FORCES AGREEMENT LIMITS THE NUMBER OF PERSONNEL TO BE ACCORDED THE STATUS OF MEMBERS OF THE CIVILIAN COMPONENT. THE UNITED STATES, THEREFORE, REQUESTS THAT THE GOVERNMENT OF THE HELLENIC REPUBLIC REVIEW WITH REPRESENTATIVES OF THE UNITED STATES THE MOST APPROPRIATE MEANS OF ACCOMMODATING WITHIN THE "CIVILIAN COMPONENT", AS THAT TERM IS DEFINED IN THE PROPOSED STATUS

OF FORCES AGREEMENT, THE UNITED STATES AND THIRD COUNTRY
NATO NATIONALS EMPLOYED BY PAE.

PAE'S PRESENT DIFFICULTIES HAVE ADVERSELY AFFECTED ITS
ABILITY TO PERFORM ITS CONTRACT, WHICH IN TURN HAS HAD AN
ADVERSE IMPACT ON THE ABILITY OF THE UNITED STATES AIR
FORCE TO CARRY OUT ITS RESPONSIBILITIES IN SUPPORT OF NATO.
ACCORDINGLY, THE URGENT AND EXPEDITIOUS RESOLUTION OF THIS
MATTER IS REQUESTED. END QUOTE. CHRISTOPHER

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